



Before The  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In re: Applications of : MM Docket No. 99-153  
READING BROADCASTING, INC., :  
For Renewal of License of : File No. BPCT-940407KF  
Station WTVE (TV), Channel :  
51, Reading, Pennsylvania :  
and : File No. BPCT-940630KG  
ADAMS COMMUNICATIONS :  
CORPORATION :  
For Construction Permit for :  
a New Television Station :  
to Operate on Channel 51, :  
Reading, Pennsylvania :

DEPONENT: ROGER KIMPLAND

DATE AND TIME: Thursday, February 3, 2000  
at 10:10 a.m.

LOCATION: Berks County Bar Association Building  
544 Court Street  
Reading, Pennsylvania

Berks Court Reporting Service  
By: Susan Quigley, Court Reporter  
12 Pacific Avenue  
Sinking Spring, Pennsylvania  
(610) 678-9984

COPY

1 APPEARANCES:

2 HOLLAND & KNIGHT

3 By: THOMAS J. HUTTON, Esquire  
4 2100 Pennsylvania Avenue, N.W., Suite 400  
5 Washington, D.C. 20037-3202

6 For - Reading Broadcasting, Inc.

7 BECHTEL & COLE

8 By: HARRY F. COLE, Esquire  
9 1901 L Street, N.W., Suite 250  
10 Washington, D.C. 20036

11 For - Adams Communications Corporation

12 ALSO PRESENT:

13 Frank McCracken  
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I N D E X

<u>WITNESS</u>	<u>EXAMINED BY</u>	<u>PAGE</u>
Roger Kimpland	Mr. Cole Mr. Hutton	4 9

EXHIBITS

<u>NUMBER</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
Kimpland 1	Issues and Programs Report, Second Quarter, 1991	11
Kimpland 2	Issues and Programs Report, Fourth Quarter, 1991	12
Kimpland 3	Issues and Programs Reports, First Quarter, 1992, with attachments	13
Kimpland 4	Issues/Programs Report, First Quarter, 1993, with attachments	15
Kimpland 5	Issues and Programs Report, First Quarter, 1994, with attachments	19

P R O C E E D I N G S

ROGER KIMPLAND,

was called as a witness and, having been first duly sworn by the Reporter-Notary Public, was examined and testified as follows:

BY MR. COLE:

Q Good morning, Mr. Kimpland. Could you state your name and address for the record, please?

A My name is Roger Kimpland. I live at 1331 Butter Lane in Reading.

Q Mr. Kimpland, you and I have been chatting for a while, but just for the record I will introduce myself. I'm Harry Cole, and I represent Adams Communications Corporation in a proceeding before the Federal Communications Commission relating to the competing applications of Reading Broadcasting, Incorporated, which is seek renewal of the license of Station WTVE, and Adams Communications, which is seeking a new construction permit to operate on Channel 51 here in Reading.

If you have any questions or don't understand some of my questions, please feel free to let me know, and we can stop and resolve any uncertainty that exists.

On my right is Mr. Tom Hutton, who

1 represents Reading Broadcasting, Incorporated. And if  
2 either of us has any objections to one of the other's  
3 questions, feel to free to just withhold any answer  
4 until we resolve it among ourselves, and then we'll go  
5 forward.

6 Also, I'll mention for the record that Mr.  
7 Kimpland has indicated that he is recovering from  
8 radiation therapy for throat cancer, and he is speaking  
9 very quietly. And, again, if you need to take a break,  
10 you want a drink, you want, you know, anything else  
11 that can make you comfortable, say the word, let us  
12 know, and we will take care of that.

13 Now, Mr. Kimpland, you are here in  
14 response to a Notice of Deposition and a Subpoena that  
15 were served on you in connection with the WTVE case.  
16 Is that correct?

17 A Yes, it is.

18 Q How long have you been a resident of the  
19 Reading area?

20 A About 25 years.

21 Q What is your current employment?

22 A I'm a media coordinator at Reading Area  
23 Community College.

24 Q And how long have you been in that  
25 position?

1           A       Just about 20 years.

2           Q       Am I correct, Mr. Kimpland, that the  
3 college's media department at some point in the past to  
4 your knowledge worked with Channel 51 WTVE in certain  
5 respects with respect to cooperative efforts to train  
6 students and provide I guess a cooperative effort  
7 between the college and the station? Is that a fair  
8 statement?

9           A       We have a program where we trained them  
10 for technical capabilities in the TV field.

11          Q       And when was that? Do you remember?

12          A       That was about four years ago, five years  
13 ago.

14          Q       And before then were there any programs?

15          A       We just did student volunteer. They had  
16 club, TV Club, and they just worked in my area and  
17 produced little news programs.

18          Q       How long ago was that?

19          A       That was about ten, fifteen years ago.

20          Q       And could you describe that program?

21          A       They would just come in and they would  
22 gather up little news clips around the college, and  
23 then they would put together maybe a ten-minute news  
24 program that was an in-house program that was  
25 broadcasted to the cafeteria.

1           Q       When you say they, who are you referring  
2 to?

3           A       The students.

4           Q       What connection did that have with Channel  
5 51?

6           A       I think some of the students that we had  
7 in the program would go down and volunteer.

8           Q       At Channel 51?

9           A       Yes.

10          Q       And did Channel 51 provide equipment or  
11 guidance to the college in any of its media efforts at  
12 that point?

13          A       No.

14          Q       The cooperative program that you just  
15 mentioned that happened about ten -- I believe you said  
16 ten, twelve years ago -- how long did that last?

17          A       Very short.

18          Q       And do you know why it ended?

19          A       One of our problems was the students lost  
20 interest and discontinued in that effort, so it was  
21 more I think on our end than on their end, not taking  
22 the students.

23          Q       Now, you also mentioned that there was a  
24 program four or five years ago. Could you describe  
25 that?

1           A       We had an electronics program, and part of  
2 the electronic program was a training program for  
3 students who were interested in the technical aspects  
4 of television, you know, how to read scopes and how to  
5 set the cameras and stuff up like that.

6           Q       And how was Channel 51 involved in that?

7           MR. HUTTON: I'm going to object on the  
8 grounds of relevance. This is four or five years ago.  
9 That's well after the license term.

10           MR. COLE: Okay. Fair enough.

11 BY MR. COLE:

12           Q       Do you have a television in your home?

13           A       Yes.

14           Q       And did you have one in the period of 1989  
15 to 1994?

16           A       Yes.

17           Q       And do you have one in your office?

18           A       Yes.

19           Q       Same question 1989 to 1994.

20           A       Yes.

21           Q       During the period of time of 1989 and 1994  
22 did you watch Channel 51?

23           A       Personally, no.

24           Q       Why not?

25           A       There was nothing of interest at that

1 point.

2 Q And during that time, that is '89 to '94,  
3 if you wanted to watch television coverage of local  
4 news and events, what would you watch?

5 A Probably Channel 8 or -- I'm not sure if  
6 69 was at that time.

7 MR. COLE: I have nothing further.

8 BY MR. HUTTON:

9 Q Mr. Kimpland, are you familiar with WTVE's  
10 on-air efforts to promote education?

11 A The only time I ever remember that was a  
12 number of years ago -- and I don't know how many --  
13 they approached the college when they were going to do  
14 broadcasting into the homes, like a cable service of  
15 some sort. Or somebody was. It may not have been 51,  
16 but somebody locally was going to do some kind of  
17 broadcasting where you put a little thing on your  
18 house, an antenna of some sort, and get local  
19 programming. And they wanted to know if we would  
20 provide programming for that, as we do now to the cable  
21 company, telecourses.

22 That was the last thing, and I'm not sure  
23 if it was 51 or someone who was affiliated with 51.  
24 But that service never came about as far as I know.

25 Q And do you know if Channel 51 during the

1 1989 to '94 time period offered training to other  
2 students at other institutions such as Albright or -- I  
3 believe there's a -- is there a professional  
4 broadcasting school in town or training institute in  
5 town?

6 A There's Berks Broadcasting Technical  
7 Institute. And I'm not even sure if they're still in  
8 existence anymore. But also there is an organization  
9 called Schoolcasters where all the schools meet monthly  
10 to discuss, you know, things like putting their  
11 programs out over the Berks -- I guess it's Channel 21  
12 or 22 now. And at that time I think the schools were  
13 looking at a broadcast that was not open air, and I  
14 think 51 attended some of those meetings to see if  
15 there was something that they could do to help their  
16 programs get out to the homes that didn't have cable.

17 Q And do you know of any public service  
18 announcements that TV 51 aired during the 1989 to '94  
19 time frame for either Reading Area Community College or  
20 any other local institution?

21 A Not at that time period, not that I'm  
22 aware of.

23 MR. HUTTON: I would like to have this  
24 document marked as Kimpland Exhibit 1.

25 (Whereupon, Kimpland Exhibit No. 1 was

1 marked for identification, Issues and Programs Report,  
2 Second Quarter, 1991.)

3 BY MR. HUTTON:

4 Q Mr. Kimpland, you have not seen this  
5 before. This is an excerpt of WTVE's second quarter of  
6 1991 issues and programs list. And on the page marked  
7 3 is a reference to a public service announcement under  
8 the heading Ursinus College. Are you familiar with  
9 Ursinus College?

10 A Very little.

11 Q Do you know where they are located?

12 A Not really. I'm thinking of Ursinus,  
13 which is off of 422, but this is not the same. No.

14 Q Are you familiar with the Kutztown Folk  
15 Festival that's referenced there?

16 A Yes.

17 Q And were you aware of the PSA described on  
18 that page?

19 A No.

20 Q And turning to the last page that's marked  
21 8, there's a reference there to an event at Kutztown  
22 University. Do you know where that is?

23 A Yes.

24 Q And were you aware of TV 51's efforts to  
25 publicize that event?

1 A No.

2 Q There's also a reference to an event at  
3 the University of Pennsylvania. Were you aware of  
4 WTVE's efforts to publicize that event?

5 A No.

6 Q And there's also a reference to an event  
7 at Muhlenberg College. Is that in this area?

8 A No. That's up in Allentown.

9 Q Were you aware of TV 51's efforts to  
10 publicize that event?

11 A No.

12 MR. HUTTON: I would like to have this  
13 document marked as Kimpland Exhibit 2.

14 (Whereupon, Kimpland Exhibit No. 2 was  
15 marked for identification, Issues and Programs Report,  
16 Fourth Quarter, 1991.)

17 BY MR. HUTTON:

18 Q Again, you have not seen this before.  
19 This is excerpts from the Issues and Programs Report  
20 for the fourth quarter of 1991 for TV 51. And on the  
21 page marked 6 there's a reference to Reading Area  
22 Community College, and it describes a PSA produced by  
23 WTVE at the college. Are you familiar with that PSA?

24 A I don't remember it. No.

25 MR. COLE: Excuse me. Just for the

1 record, we understand that PSA means public service  
2 announcement?

3 THE WITNESS: Right.

4 (Brief interruption.)

5 (Discussion was held off the record.)

6 BY MR. HUTTON:

7 Q And turning to the next page, Mr.  
8 Kimpland, which is marked 8, there's a reference at the  
9 top to the United Negro College Fund Campaign. Are you  
10 familiar with WTVE's efforts to publicize that  
11 campaign?

12 A No.

13 MR. HUTTON: I would like to have this  
14 marked as Kimpland Exhibit 3.

15 (Whereupon, Kimpland Exhibit No. 3 was  
16 marked for identification, Issues and Programs Reports,  
17 First Quarter, 1992, with attachments.)

18 BY MR. HUTTON:

19 Q Mr. Kimpland, I got lazy and I started  
20 putting the whole year together, or excerpt from the  
21 whole year, so Exhibit 3 contains excerpts from WTVE's  
22 Issues and Program Reports for the first, second,  
23 third, and fourth quarters of 1992. Turning now to the  
24 page marked 3, up at the top there's a reference to the  
25 Reading Area Community College Cultural Series

1 featuring Aesop's Fables. Are you familiar with that  
2 event?

3 A No.

4 Q There's some other educational events  
5 referenced on the same page. The fourth item down  
6 references the Wyomissing Institute of Fine Arts. Are  
7 you familiar with that institution?

8 A Yes.

9 Q And were you aware of WTVE's efforts to  
10 publicize the event described there?

11 A No.

12 Q And in the middle of the page there's a  
13 reference to the Reading High School Lecture Series on  
14 the rivers of France. Were you familiar with that  
15 event or with WTVE's efforts to publicize that event?

16 A No.

17 Q Then closer to the bottom of the page  
18 there's a reference to Reading Area Community College  
19 Illustrated Lecture Series: Portugal. Were you  
20 familiar with that event?

21 A That one in particular, no.

22 Q And how about the Kutztown University  
23 presentation of Carmen?

24 A No.

25 Q Turning now to the second quarter of 1992,

1 on the page marked 5 there's a reference to 1992 Vassar  
2 Show House, which is a fundraiser for scholarships.  
3 Are you familiar with that event?

4 A No.

5 Q Turning now to the third quarter of 1992,  
6 there's a reference on the page marked 14 to Seat of  
7 Power, which is a public service announcement promoting  
8 the Thurgood Marshall Scholarship Fund. Are you  
9 familiar with that PSA or with WTVE's efforts to  
10 publicize that fund?

11 A No, I'm not.

12 MR. HUTTON: I would like to have this  
13 marked as Kimpland Exhibit 4, and this consists of  
14 excerpts from the station's Issues and Programs Reports  
15 for 1993.

16 (Whereupon, Kimpland Exhibit No. 4 was  
17 marked for identification, Issues/Programs Report,  
18 First Quarter, 1993, with attachments.)

19 BY MR. HUTTON:

20 Q In the second quarter of 1993 on the page  
21 marked 17 there's a reference to small colleges PSA.  
22 Are you familiar with that PSA or with WTVE's airing of  
23 that PSA?

24 A No, I'm not.

25 MR. COLE: Let me just interject for the

1 record that the page represents the handwritten number  
2 in the lower right-hand corner, not the typed number  
3 which is the 16. Just so we're all reading off the  
4 same page.

5 MR. HUTTON: That's correct.

6 BY MR. HUTTON:

7 Q And on the next page, which is handwritten  
8 19, there's a reference to the Kutztown Folk Festival  
9 sponsored by Ursinus College. Are you familiar with  
10 WTVE's efforts to publicize that event?

11 A No.

12 Q On the next page marked 20 there's a  
13 reference to a Take 3, Wendy's. Let me first ask you,  
14 are you familiar with WTVE's program called Take 3?

15 A No.

16 Q So you wouldn't be familiar with either of  
17 the Take 3 segments described on that page?

18 A No.

19 Q And how about the United Negro College  
20 Fund PSA described at the bottom of the page?

21 A No.

22 MR. COLE: Off the record.

23 (Discussion was held off the record.)

24 BY MR. HUTTON:

25 Q Turning now to the third quarter of 1993,

1 on the page marked 4 there's a description toward the  
2 top of publicity for the Pennsylvania Miss Teen  
3 Scholarship Program. Are you familiar with WTVE's  
4 efforts to publicize that program?

5 A No.

6 Q And on the page marked 6, about two-thirds  
7 of the way down the page there's a reference to a  
8 program at Chestnut Hill College. Do you see that?

9 A Yes.

10 Q Are you familiar with that program or with  
11 WTVE's efforts to publicize that program?

12 A No.

13 Q And three items below that there's a  
14 reference to Lancaster Bible College sponsoring a  
15 soccer clinic. Are you familiar with that program?

16 A No.

17 Q How about with the item described at the  
18 bottom of the page at Kutztown University; are you  
19 familiar with that or with WTVE's efforts to publicize  
20 that?

21 A No.

22 Q Turning now to the page marked 16, there's  
23 a reference to a Take 3 -- well, a series of Take 3  
24 programs. I would like you to review those and tell me  
25 if you're familiar with any of those programs.

1           A       Where is Page 16?

2           Q       It follows the one we were just on. Oh,  
3 there's a typed 15. The 16 may not have copied  
4 correctly. It's immediately after the Page 6 we were  
5 just on.

6           A       I just have a 1 on there.

7           Q       Okay. It didn't copy correctly. I'm  
8 sorry. There are references to Take 3 programs called  
9 Instrumental Music, Odyssey of the Mind, Selecting a  
10 College, Dorney Park, and Camping Food Care. Are you  
11 familiar with any of those programs?

12          A       No.

13          Q       Turning to the page marked 23, there's a  
14 reference to a Take 3 program on the National Geography  
15 Bee. Are you familiar with that program?

16          A       No.

17          Q       And then below that there's a reference to  
18 an American Legion PSA for a scholarship. Are you  
19 familiar with that PSA or with WTVE's airing of that  
20 PSA?

21          A       No.

22          Q       Turning now to the fourth quarter of 1993  
23 on the page marked 15, I would like you to look at the  
24 items under the heading Concerns of Youth, and tell me  
25 if you're familiar with any of those programs or with

1 WTVE's efforts to publicize those programs.

2 A No.

3 Q Now on the next page marked 20, at the  
4 bottom there's an American Legion school contest again.  
5 I take it you're not familiar with that?

6 A No.

7 MR. HUTTON: Okay. I would like to have  
8 this one marked as Kimpland Exhibit 5.

9 (Whereupon, Kimpland Exhibit No. 5 was  
10 marked for identification, Issues and Programs Report,  
11 First Quarter, 1994, with attachments.)

12 BY MR. HUTTON:

13 Q And this consists of excerpts from of  
14 station's Issues and Programs Reports for the first  
15 three quarters of 1994. And I would like you to turn  
16 to the page marked 14. And again under the heading  
17 Concerns of Youth, tell me if you're familiar with any  
18 of those subjects or with WTVE's efforts to publicize  
19 those issues.

20 A No.

21 Q Okay. And the same question on the next  
22 page marked 15 for all the items listed there.

23 A No.

24 Q And same question for the items described  
25 on the page marked 20.

1 MR. COLE: Excuse me, Tom. Again, I do  
2 not have a 20 on mine, but I assume that's the one that  
3 shows a typed 19.

4 MR. HUTTON: Yes.

5 BY MR. HUTTON:

6 Q The first item at the top is American  
7 Legion with School Contest.

8 A No.

9 Q And turning to the third quarter of 1994  
10 -- I'm not sure you're on the same page I'm on. I'm  
11 looking now at the last page in the exhibit, which is  
12 an excerpt from the third quarter of 1994. The second  
13 item there's a reference to a PSA for Americorps. And  
14 I would like to ask you if you are familiar with that  
15 PSA or with WTVE's efforts to publicize that program.

16 A No.

17 MR. HUTTON: I have nothing further.

18 Thank you.

19 (Whereupon, the deposition concluded at  
20 10:42 a.m.)

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Susan Quigley, Court Reporter

My Commission expires December 18, 2000

ADAMS COMM. CORP.  
EXH. 47, PAGE 21

## ERRATA SHEET

Date forwarded to witness: 2/25/00

TO: Roger Kimpland

Return by: 3/25/00

CAPTION: In re: Applications of Reading Broadcasting, Inc., and Adams Communications

As you read your deposition, please **do not make any corrections on it.**  
If you have any corrections to make, kindly itemize them below. Then affix your  
signature to this form **and** to the last page of the Original deposition transcript.

## CORRECTIONS TO DEPOSITION

[illegible]

Signature:

Date: 3/5/00

**Please return the signed Original transcript and this form to:**

ADAMS COMM. CORP.  
EXH. 47, PAGE 22

Susan Quigley  
Berks Court Reporting Service  
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